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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/447,259	11/23/99	MARKS	J 07780.0001
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EXAMINER

ROBERTSON, D

ART UNIT

PAPER NUMBER

2163

DATE MAILED:

10/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary

Application No.

09/447,259

Applicant(s)

MARKS ET AL.

Examiner

Dave Robertson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-96 is/are pending in the application.
- 4a) Of the above claim(s) 10-39 and 58-87 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 40-57 and 88-96 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 10-39 and 58-87 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3.
- 4) ☒ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. claims 1-9, 40-48, 49-57 and 88-96 drawn to methods and systems of using and providing an expert question/answer server.

Group II. claims 10-33 and claims 58-81 drawn to a method and system for administering content on an expert question/answer server.

Group III: claims 34-39 and claims 82-87 drawn to a method and system for managing configurations for users of an expert question/answer server.
2. Restriction is proper because the inventions are distinct and place burden on the examiner shown by having acquired separate status in the art as follows:

Group I: class 705/8 Business Methods

Group II: class 345/804 Computer Operator Interface: Windows View Grouping

Group III: class 345/735 Computer Operator Interface: Configuration
3. Inventions Group I and Group II are related as combination/subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility to itself or in other combinations (see MPEP 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because Group I does not contain any of the steps or components of Group II. The subcombination has separate utility because the administrators' configuration method and system

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of Group II of the expert question/answer server has utility in the administration of an online expert forum apart from its use.

4. Inventions Group I and Group III are related as combination/subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility to itself or in other combinations (see MPEP 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because Group I does not contain any of the steps or components of Group III. The subcombination has separate utility because the hierarchical configuration method and system of Group III of the expert question/answer server has utility in hierarchical configuration of an online expert forum apart from its use.

5. Inventions Group II and Group III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention Group III has separate utility such as providing a hierarchy of configurations to users of a web page displaying content based on users' identity in relation to a hierarchy. See MPEP § 806.05(d).

6. Claims 10-39 and 58-87 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a non-elected invention, there being no allowable generic or linking claim. Election was made to Group I without traverse as noted in the attached Interview Summary.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

8. Claims 1-7, 40-46, 49-55, and 88-94 are rejected under 35 U.S.C. 102(b) as being anticipated by UYAMA.

As to **claim 1**, in reference to the claimed invention, UYAMA discloses:

Claimed invention:

1. A method, executed by a server, for providing answers on one or more topics from a set of experts on each topic to questions posed by users in communication with client interfaces, the server being in communication with the client interfaces and the set of experts, and the method comprising:

receiving at the server a question received from a user via one of the client interfaces;

routing the question to one of the experts selected using information provided with the question;

receiving a command from the selected expert in response to the question;

and executing the command from the selected expert automatically.

Reference discloses:

Networked, knowledge-based information posting and retrieval having user question and expert selection and response to questions by users posting to central database (see at least abstract).

Receiving a question from a user (see at least column 2, lines 54-60).

Routing a question to an expert (see at least column 2, lines 8-29, and column 2, lines 54-60)

Processing a reply automatically from an expert (consultant) (see at least column 3, lines 20-22). Processing replies inherently involves a command from the selected expert (the consultant answering the question)

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As to **claim 2**, UYAMA discloses:

routing the question to one of the experts includes identifying the selected expert by identification information provided by the user with the question.

An item-consultant list in which consultants are identified as specialist by the subject area of the users' questions (see at least column 2, lines 8-19).

As to **claim 3**, UYAMA discloses:

routing the question to one of the experts includes posting the question in a location accessible to the experts.

Entering the question to the item-article list after routing to an expert that could not answer the question (see at least column 2, lines 54-67).

As to **claim 4**, UYAMA discloses:

receiving a command includes receiving a command to post an answer to the question.

Replies from consultants (experts) automatically posted to the list of know-how articles (see at least column 3, lines 16-24). Processing replies inherently involves a command from the selected expert (the consultant answering the question)

As to **claim 5**, UYAMA discloses:

receiving a command to post an answer includes receiving a command to post the answer in more than one location.

Know-how articles from consultant (expert) replies distributed to other know-how management apparatuses such as Newsgroups (see at least column 2 lines 30-54) thus posting to more than one location. Processing replies inherently involves a command from the selected expert.

As to **claim 6**, UYAMA discloses:

receiving a command includes receiving a command to refer the question to another one of the experts.

Referral of questions automatically by article posting means (see column 2, lines 64-67) and by expert to another expert (see column 3, lines 37-41).

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As to **claim 7**, UYAMA discloses:

receiving a command includes receiving a command to post an answer to the question and refer the question to another one of the experts.

Referral of questions automatically by article posting means (see column 2, lines 64-67) and by expert to another expert (see column 3, lines 37-41). Processing a reply inherently involves a command from the selected expert.

As to **claim 40**, UYAMA discloses:

Claimed invention:

40. A method for providing answers on one or more topics from a set of experts on each topic to questions posed by users via client interfaces in communication with a server and with the set of experts, the method comprising:

receiving at one of the client interfaces a question on the selected topic;

transmitting the question from the client interface to the server;

routing the question to one of the experts using information provided with the question;

receiving a command at the server from the selected expert in response to the question; and executing the command from the selected expert automatically.

Reference discloses:

Networked, knowledge-based information posting and retrieval having user question and expert selection and response to questions by users posting to central database (see at least abstract).

See Figure 3 and related discussion on client user interface for entering questions.

Transmitting a question to an expert (see at least column 2, lines 54-60)

Routing a question to an expert (see at least column 2, lines 8-29, and column 2, lines 54-60)

Processing a reply automatically from an expert (consultant) (see at least column 3, lines 20-22). Processing replies inherently involves a command from the selected expert (the consultant answering the question)

Claims 41-46 are substantial parallels of the method steps of claims 2-7 and are therefore rejected for aforementioned reasons.

As to **claim 49**, UYAMA discloses:

Claimed invention:

49. A server for providing answers on one or more topics from a set of experts on each topic to questions posed by users in communication with client interfaces, the server being in communication with the client interfaces and the set of experts and comprising:

a question receiving component configured to receive at the server a question received from a user via one of the client interfaces;

a routing component configured to route the question to one of the experts selected using information provided with the question;

a command receiving component configured to receive a command from the selected expert in response to the question;

and an executing component configured to execute the command from the selected expert automatically.

Reference discloses:

A server (see Figure 3 and related discussion on Data Management and Clipping Apparatuses) for carrying out the method providing answers on one or more topics on questions posed by users in communication with the client interfaces (see Figure 3 Interface Apparatuses and related discussion).

See Figure 2 and related discussion teaching (prior art) know-how management apparatus (3) means receives Question from Interface apparatus.

See Figure 2 and related discussion teaching (prior art) know-how management apparatus (3) means routes question to consultant answering means.

See Figure 2 and related discussion teaching (prior art) know-how management apparatus (3) means receives answers (responses) from consultants.

See Figure 2 and related discussion teaching (prior art) question processing means receives questions and answers (responses) from consultants.

Claims 50-55 are substantial parallels of the method steps of claims 2-7 and are therefore rejected for aforementioned reasons.

As to **claim 88**, UYAMA discloses:

Claimed invention:

88. A system for providing answers on one or more topics from a set of experts on each topic to questions posed by users via client interfaces in communication with the server, the server comprising:

Reference discloses:

A method and apparatus for providing answers on one or more topics on questions posed by users in communication with the client interfaces.

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a question receiving component configured to receive at one of the client interfaces a question on the selected topic;

See Figure 2 and related discussion teaching (prior art) know-how management apparatus (3) means receives Question from Interface apparatus.

a transmitting component configured to transmit the question from the client interface to the server;

See Figure 2 and related discussion teaching (prior art) know-how management apparatus (3) means receives Question from Interface apparatus.

a routing component configured to route the question to one of a plurality of experts selected using information provided with the question;

See Figure 2 and related discussion teaching (prior art) know-how management apparatus (3) means routes question to consultant answering means.

a command receiving component configured to receive a command at the server from the selected expert in response to the question;

See Figure 2 and related discussion teaching (prior art) know-how management apparatus (3) means receives answers (responses) from consultants.

and an executing component configured to execute the command from the selected expert automatically.

See Figure 2 and related discussion teaching (prior art) know-how management apparatus (3) means receives questions and answers (responses) from consultants.

Claims 89-94 are substantial parallels of the method steps of claims 2-7 and are therefore rejected for aforementioned reasons.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 8, 9, 47, 48, 56, 57, 95 and 96 are rejected under 35 U.S.C. 103(a) as being unpatentable over UYAMA as applied to claim 1 above and further in view of WALKER (US Pat. 5,862,223).

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As to **claim 8**, UYAMA discloses all of claim 1; however UYAMA does not expressly disclose:

receiving a command includes receiving a command to edit an answer to a previous question.

As to **claim 9**, UYAMA discloses all of claim 1; however UYAMA does not expressly disclose:

attachments relevant to an answer are appended to the answer and wherein receiving a command includes receiving a command to add an attachment to the answer.

Claim pairs 47 and 48, 56 and 57, and pair 95 and 96 are substantially similarly to claims 8 and 9 recited editing and attachment features of the invention.

As to receiving commands to edit answers, It was old and well known in the art at the time of the invention to allow editing of answers posted to a database such as a know-how database or more commonly a knowledge base of answers and that such systems existed at the time of the present invention having such feature. UYAMA suggests the improvement by pointing out that "know-how changes with time" which may require updates to previous answers posted to the know-how database. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to provide editing of the answers to update knowledge and to allow for the correction of errors to maintain the integrity of the know-how database.

As to attachments, WALKER teaches the use of email as a communication means between expert and user in an expert question/answer system such as taught by UYAMA and disclosed by the instant invention. It was old and well known in the art at the time of the invention to attach files of additional materials images, documents, and multimedia files to emails to supplement the information provided in text form. Therefore, it would have been

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obvious to one of ordinary skill at the time of the invention to provide attachments to experts' answers to supplement the response by email as suggested by Walker with additional information to thereby provide a more valuable answer to the user.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

NIELSEN teaches matching of user questions to consultants providing questions on consultants' web page and receiving answer from consultant or referring question to other consultant.

LAUFFER teaches establishing and maintaining real-time connection between expert and consumer for the exchange of information.

HALL teaches matching of questions to store responses by automated means.

DWORKIN et al teach forum-based expert to user exchange of information providing question and answer facility and rendering of response in telephone accessible voice and text.

WOSCHKO teaches knowledge base or third-party expert response to questions posted to server in one or more forum [themes].

STEPHANOU teaches help desk type expert assistance with expedited setup of communications between experts and users seeking answers.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Robertson whose telephone number is 703.306.5679. The examiner can normally be reached on M-Th 7:30am to 12:30pm and 2:30pm to 7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703.305.9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703.308.1396 for regular communications and 703.308.1396 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

DCR.
dcr
October 10, 2001

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